

Attention: Department of Planning and Environment



Applicant: Eagleton Rock Syndicate Pty Ltd  
Location: Lot 2 DP1108702 Barleigh Ranch Way Eagleton.

I object to the DA on the following grounds:

I believe that this proposed quarry would impact greatly on my health and well being due to its proximity to our property. The area proposed for this DA is approximately 1000 meters from my home and place of work. It is inappropriate development in this location. We already have an existing quarry which affects some of the residents in this area, their properties unfortunately seem to be located in sensitive topography with regards to the activities of the Boral quarry. Now we have another quarry being proposed to be located on our doorstep. I am sure the Dept Planners would not appreciate this development themselves if they were the ones who lived around this proposal, however that is not the case. I am concerned with the following issues that arise from a development such as this.

#### **# DUST:**

The level of increased airborne dust and contaminates is of great concern due to the fact that my drinking water will be directly impacted upon causing contamination to my drinking water, increased silting in my water storage tanks and general contamination of air quality. We also have solar panels on the roof, their efficiency may be impacted over a period of time depending on the weather and amounts of dust coming from the quarry.

#### **# NOISE:**

Due to the amounts of material being produced from this Quarry the amounts of vehicles travelling on and off the Pacific Highway will be increased to approximately 170 trucks per day. Already entry and exit to the Pacific Highway can be quite difficult but with this increase there will be added traffic causing further difficulties. Currently other local roads which are not supposed to be used for Heavy Vehicles are often utilised causing major concerns for local residents. Six Mile Road is the classic example and as a resident in this area I am well aware of the number of large trucks accessing this narrow dirt road at speeds that are quite dangerous. This is not something that can be monitored but should also not be disregarded until an accident occurs or someone is injured or killed.

The noise from crushers, hammers, loading of trucks, blasting and assorted quarry activities will be noticeable from 1000 metres, especially when a portion of the hill between us and the proposed quarry disappears as the first stage of BENCHING begins.

This increase in noise will also impact on my lifestyle, relaxation time, stress and anxiety and not to mention my workplace environment.

The noise of the increased truck traffic on the Pacific Highway will be significant with an additional 170 trucks per day on average using this carriageway.

#### **# VIBRATION:**

I am greatly concerned about the increased vibration from the blasting. This vibration has the potential through ground and air vibration of causing damage to my home and my business. This will also negatively affect the valuation of my home and property. This will also impact on my personal health and wellbeing with my relaxation time being impacted upon causing added stress and anxiety to my life style.

#### **# RISKS TO THE WATER CATCHMENT:**

There are various waterways in this area where the quarry is proposed, these flow directly into the

Grahamstown Dam. Most notably Seven Mile Creek and Balickera Canal which carry significant loads when rainfall is heavy. The proposed quarry will eventually change the current landscape over time and it will be Seven Mile Creek which flows through the property's Nth East section which will carry any surplus runoff from the quarry. This creek flows directly into the dam, once large areas on the proposed site begin to be cleared, water flows and runoff will change. The pondage designed into the site can have all the modelling in the world designed into it, NO MODELLING IS FOOLPROOF, especially in a sensitive area like this. If the modelling proves to be faulty, and flow rates and hydraulic loads have been inaccurately estimated, well, who is responsible for damage caused to the integrity of the dam in the future?

#### **# ENVIRONMENTAL IMPACTS TO LOCAL WILDLIFE:**

I also have concerns that this development will cause degradation and loss of local native animal habitats. As a long term resident of this area I see many seasonal migratory birds who use this corridor as well as many of the native animals that have been sighted and seen in this area including Echidnas, Brush Tailed Phascogale, Koalas, Micro Bats and many other native animals.

I sincerely hope that the Department of Planning and Environment takes into consideration my objections before making a determination on this development application. If I could have a reply to my submission I would appreciate it, thank you for your time.



Belinda Furlonger SRN  
Resident  
100 Six Mile Road  
Eagleton  
NSW 2324





# Eagleton Ridge Respite Centre Pty Ltd.

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Date: 3/3/2017

Attention: Department of Planning and Environment

Applicant: Eagleton Rock Syndicate Pty Ltd

Location: Lot 2 DP1108702 Barleigh Ranch Way, Eagleton, NSW 2324

Application number: SSD7332

## **I OBJECT TO THE DA ON THE FOLLOWING GROUNDS:**

I believe that this DA would impact greatly on my workplace of 17 years due to the close proximity of the proposed quarry activities. The area proposed for this DA is approximately 1000 meters from my place of work, Eagleton Ridge Respite Centre Pty Ltd (E.R.R.C.). As the director of (E.R.R.C.) I hold grave fears for the viability of this service should the proposed quarry be given consent to operate. Before I outline these concerns, I think it is important the Consent Authority understands the nature of this business and with that in mind I will give you a brief overview.

# **E.R.R.C.** commenced operations in 2000. The service was established by myself (I am a Registered Nurse and Cat 111 trainer) after working with the MaiWel Group in Maitland as a Disability Support Trainer. I recognised the demand for respite services in the community. I saw a need to help give carers of people with disabilities a rest so they could have some time out from full time caring. At the time my husband (Vince) and I owned a property (100 Six Mile Rd) which we had purchased in 1989 and had fully renovated. With just the two of us in residence, along with horses, goats, chooks, cats, dogs and all the native wildlife, it dawned on me through my association with MaiWel, that I could provide a stand alone service for Respite utilising the environment of a farm and its tranquil rural surroundings. After satisfying all the regulatory framework and completing the associated modifications to the dwelling E.R.R.C. was born.

# **AS** time progressed E.R.R.C. established itself as a respected service to the Disabled Community and a contributor to many of the businesses in the local community.

We have established important relationships with Commonwealth, State and Local funding providers as well as Non Govt Organisations. E.R.R.C. is now a Registered Provider with the NDIS.

# **E.R.R.C.** provides respite and holiday accommodation to over 3500 clients from the Mid North Coast, Upper and Lower Hunter Valley, Central Coast and Sydney Basin. We provide services to clients with many types of disability including Mental Health, Acquired Brain Injuries, Genetic and Chromosomal Syndromes and physical needs both high and low support participants.

# **E.R.R.C.** now not only offers short term accommodation for holiday respite but is moving into Permanent Accommodation with Disability Housing. We also offer a service catering for those clients who wish to travel and are capable of doing so. We provide small groups of clients fully supported holidays both Intra/State and Interstate as well as International Tours.

# **E.R.R.C.** has grown over the last 17 years and its contribution to the local community grows in tandem. We inject money directly into the local community by dealing with local businesses who we need to source from in order to support our business. As a business employing over 20 people



and still growing, this monetary contribution is proportionate. We also contribute to the local community obviously as an employer and as we establish ourselves within the structure of the NDIS we will need to increase our level of staffing.

# **As E.R.R.C.** has become established both as a business and in the local community, I am mindful of the fact how important our environment is and has been to the operation of this business. It is important to note that the majority of our clients come to us from suburbia and as such, involving themselves in a farm style atmosphere is something different and a unique experience. Indeed, one associates a farm with peace and quiet and the ability to experience and enjoy a rural atmosphere over a suburban atmosphere is beneficial for many of our participants. Many of our clients have become attached to various farm animals and also to the atmosphere that allows them freedom to enjoy the outdoors and the lifestyle associated with farm life. Our support staff also enjoy the ability to work in a farm style workplace. They appreciate the freedom it can offer those clients they support.

The property in Six Mile Rd is the HUB of this business. Our office is located here as well as my own residence along with the residences of 4 permanent clients soon to be 6 permanent clients. The farm also has onsite a fully equipped activity centre for day activities where clients are supported in arts and crafts. The farm is staffed full time on a roster allocation 24/7 365 days a year. At no time in the 17 years of operation has any other business in the locality disturbed the farm's environment and hence its ability to function as it always has. It must be noted that Boral Quarry operates approx 2.5 kms to the North West and we purchased our property in 1989 knowing that this quarry already existed and they are a "known entity". However their business has had no impact on us since we have been here. The proposed Quarry is NOT a "known entity", it is proposed to be located between Boral and our property and as such is closer by 1.5 kms. I am concerned as Director of E.R.R.C. about the proposed quarry, noting that it is an "unknown entity" for the following reasons.

#### # **DUST:**

During the initial benching period once this process starts, I have been advised that part of the top of the hill which we can clearly see from our property will be removed. This will lessen the buffer shielding us from the quarry's activities behind the hill and will expose us to increased dust from Boral's existing quarry. The truck movements and crushing of the rock will create dust and should the wind be unfavourable we may have issues with particulate matter. We rely on tanks for our water which are fed from the roof areas of the property. Because the proposed quarry will be in close proximity to our property this will be a compounding factor. Depending on the rock that is quarried, SILICA may be present in the particles of dust and an accumulation of this over a period of time in the tankwater would pose a health hazard to our clients. We do have clients who are asthmatics and if there were days where dust levels were higher than normal then there would be greater chances for attacks of asthma.

We have a 5KW Solar system in operation which contributes to a reduction in our electricity bill of approx 25%. Should dust become an issue regarding the solar panels integrity to generate electricity then this would impact on the centre economically in the long run.

#### # **NOISE:**

The rural location and associated farm style environment is a cornerstone to the operation of E.R.R.C. The participants that reside here enjoy an atmosphere which is not subject to any form of continuous noise source either during the day nor during the night. The clients that use the centre for day activities also are not subjected to any continuous noise source. The staff, who have a very emotionally draining job, enjoy their workplace here at the farm also because of the lack of any continuous and irritating noise sources.

**However there are noise sources located in the immediate vicinity.**

- 1) **Boral quarry:** This quarry existed when we bought the property in 1989. We had over



harm others in their fear and reactive behaviours. It would be extremely uncomfortable and could be potentially dangerous for them and for our staff. We also have clients who are prone to the STARTLE REFLEX commonly exhibited in people with Acquired Brain Injuries and Cerebral Palsy. Startle reflex causes clients to react to any loud and unexpected noises by sudden involuntary movements of their body such as jerking of arms and legs. If a circumstance was out of a staff member's control, then depending on where the client and staff member was or what they were doing at the time, there could be instances of possible injury to both client and staff. We can control our environment at the centre to a very large degree and thus minimise these situations, however the effects of blasting are OUTSIDE of our control. We have instances every now and again where the jets from the RAAF base at Williamstown fly over our centre (we are not in a flight path) and on these occasions we can hear the approach of the jets so can prepare our participants for the noise. We can also explain to our autistic clients what this noise is as they have heard it before and some are already conditioned in their own environments to the noise a plane makes. All of these effects can also be extreme due to the vibrations that will also be felt when the blasting occurs. **We would need to know when a blast was occurring and then engineer, if possible, situations where those clients were prepared before the blast, such as making sure these clients were not on the property at the time. WHY SHOULD WE HAVE TO DO THIS ANYWAY?**

- 2) Part of our building is on piers which could be more susceptible to damage from vibration and sudden air pressure movements than a concrete slab. If there was any damage done to our buildings, depending on the damage, there could be the possibility of disruption to the centre. If tradesmen were necessary to repair damage, we may have to reschedule activities and bookings, this would be an inconvenience to our clients and our staff as this would entail alterations to the staff rosters and loss of revenue for shut downs for repairs.

#### **E.R.R.C. REQUEST THE FOLLOWING ACTIONS:**

- # Because we are an established business in this area with 17 years history.
- # Because we provide employment.
- # Because we contribute socially and financially into the community.
- # Because we provide an essential service.
- # Because we have a large and growing client base.
- # Because our activities do not disrupt those of our neighbourhood.

We would request of The Eagleton Hard Rock Syndicate, should their proposed quarry come to fruition, the following at their expense:

- 1) A noise logger to be placed on our property. The logger's measurements to be monitored by a suitably qualified independent consultant according to best practice and/or ISO regulations with regard to frequency of measurements, location, and duration of logging activity.
- 2) Suitable monitoring by an independent consultant provided on our property in relation to dust caused by the quarry's activities.
- 3) Suitable monitoring by an independent consultant with regards to vibration from blasting activities and also notification given when blasting is to occur.
- 4) Should noise generated by the quarry be above acceptable levels then double glazing is to be provided to all glassed areas of existing buildings on the property.
- 5) Should any damage occur to any infrastructure on the property caused by blasting, vibration, dust or any other activity associated with the quarry then reparation of the damage is to be borne by the developer.

- 6) Should there be disruption to E.R.R.C.'s ability to provide its normal services, including its duty of care to both clients and staff, then appropriate compensation be borne by the developer. That includes any costs involved for relocation of the business to another premises should this be necessary.

E.R.R.C. Would appreciate a reply to this submission from the Dept of Planning and also request a meeting with the Dept during the course of its deliberations re the granting or not of approval for this DA. We appreciate the Dept's time in this matter and look forward to their response with regards to the issues we have brought up in this submission.

Kind Regards

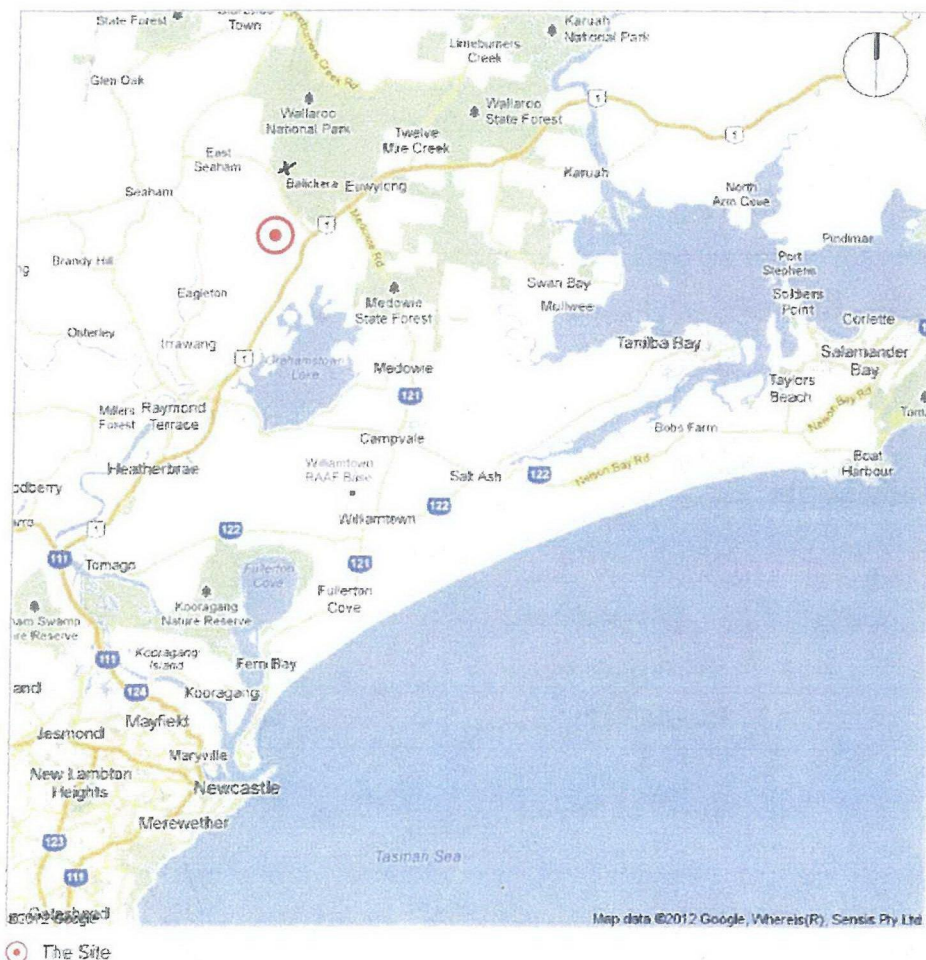
Belinda Furlonger SRN  
Director E.R.R.C.  
100 Six Mile Road  
Eagleton, NSW 2324



## 2.0 Site Analysis

### 2.1 Site Location and Context

The proposed Eagleton Quarry is located at a site approximately 12km north of Raymond Terrace, within the Local Government Area of Port Stephens. The site is approximately 1.5km to the west of the Pacific Highway, approximately 2km southwest of the intersection of the Pacific Highway with Italia Road, and approximately 2.5km northwest of Grahamstown Dam. The site's location is shown at Figure 2.



**Figure 2 – Locality Plan**

Source: Google Maps (modified by JBA)

### 2.2 Land Ownership and Legal Description

The Eagleton Quarry site is located on part of Lot 2 DP 1108702, located on Barleigh Ranch Way, Eagleton. Lot 2 is split north-south by Seven Mile Creek. The quarry site forms the part of Lot 2 to the west of the creek.

The land is owned by the owner and operator of the existing Port Stephens Gardenland landscape supplies business which operates on the eastern part of Lot 2 DP 1108702.









ATTN:DEPT OF PLANNING AND ENVIRONMENT.

APPLICANT: Eagleton Rock Syndicate Pty Ltd

LOCATION: Lot 2 DP 1108702 Barleigh Ranch Way Eagleton.

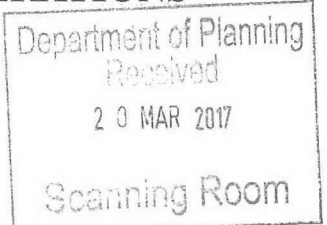
APPLICATION NUMBER: SSD7332.

This DA is UNSUITABLE for the proposed location. I object to it because there are too many NEGATIVES and very few POSITIVES.

***NEGATIVES:***

- 1) The proposed quarry is located in a catchment area. YES, Boral quarry are also located in the same catchment,however,their operations predate many of the rules and regulations that have come into being since Hunter Water became incorporated. Boral have a history,much of the existing neighbourhood has grown up around this quarry since it started operations late in the last century.
- 2) The proposed quarry will be located on the doorstep to sensitive receivers. Because of this close proximity,these property owners WILL be affected by the quarries operations. There is little information in the EIS on the possible impacts this quarry will have on these sensitive receivers,and if there are impacts,these are NOT ADDRESSED.
- 3) The proponents highlight the fact that the quarry will bring benefits to the local community in the form of employment and financially. Eagleton Ridge Respite Centre is already an established business of 17 years,it has a proven track record of delivering employment and contributing financially to the local community. There has been NO CONSIDERATION by the developer with regards to the respite centre. The respite centre is a SENSITIVE RECEIVER and an existing well established business,yet there has been NO attempt by the developer to address any concerns the centre may have with regards to impacts the quarry may have on their business.

**IF THE QUARRY WERE TO BE GIVEN APPROVAL WOULD PLANNING CONSIDER PLACING INTO THE CONDITIONS OF CONSENT THAT THE DEVELOPER CONSULT WITH THE RESPITE CENTRE,TO DETERMIN POSSIBLE IMPACTS THEY MAY HAVE ON THAT BUSINESS,AND TO PUT IN PLACE PROCEDURES TO ADDRESS THESE IMPACTS? THE DEVELOPERS I.E. EAGLETON ROCK SYNDICATE PTY LTD HAVE NO TRACK RECORD AS AN ESTABLISHED ENTITY,THIS BEING THE CASE,AND CONSIDERING THE POSSIBLE IMPACTS A QUARRY MAY HAVE ON A RESPITE CENTRE FOR PEOPLE WITH A DISABILITY,IT WOULD BE FAIR AND REASONABLE FOR THE SYNDICATE TO ESTABLISH TERMS AND CONDITIONS FOR FUTURE COMPENSATION TO THE RESPITE CENTRE SHOULD THE CENTRE'S OPERATIONS**



**BE ADVERSELY AFFECTED BY THE QUARRY'S OPERATIONS.**

4) The value of properties in close proximity to the proposed quarry will be adversely affected i.e. devalued, there would not be many buyers in the marketplace interested in living next to a quarry, let alone paying market value for this privilege.

5) The land used for the quarry will be degraded and existing habitats of flora and fauna which have been identified in the EIS will be either destroyed or fragmented. There is not enough land on this premises to relocate or compensate for these affected species. In 30 years time, if remediation does not occur on a regular basis, the land will be irreparably damaged.

**WOULD PLANNING CONSIDER PLACING INTO THE CONDITIONS OF CONSENT THAT DURING THE BENCHING PROCESS AFTER EACH BENCH IS COMPLETED IT IS REMEDIATED? THIS ENSURES THAT SHOULD THE DEVELOPER I.E. EAGLETON ROCK SYNDICATE PTY LTD GO INTO LIQUIDATION AT LEAST THERE HAS BEEN SOME REMEDIATION COMPLETED ON A REGULAR BASIS. IF IT IS NOT PRACTICAL TO REMEDIATE IN THIS FASHION THEN A FUND SHOULD BE ESTABLISHED BY THE DEVELOPER AND ON A TIMELY BASIS THERE ARE PAYMENTS MADE INTO THIS FUND OR TRUST ACCOUNT VIA A PRE DETERMINED ROYALTY LEVIED ON EACH TONNE OF ROCK EXTRACTED. THE FUNDS IN THIS ACCOUNT TO BE USED FOR SITE REMEDIATION WHEN APPLICABLE. SINCE THE SYNDICATE HAS NO HISTORY IN THIS TYPE OF DEVELOPMENT THE TRUST ACCOUNT IS AN ASSURANCE FOR FUNDS TO BE AVAILABLE FOR REMEDIATION SHOULD THERE BE THE ISSUE OF LIQUIDATION.**

6) Health risks to people living within close proximity to the quarry. These health issues in the form of:

A) DUST: Asthma and other lung ailments especially if SILICA is present in the dust. The contamination of drinking water via entry into water tanks from roof run off after rain.

B) NOISE: Anxiety and stress, constant irritating noise especially from crushers and rock hammers and the loading of rock into trucks.



***REASONS I HAVE MENTIONED IN THIS SUBMISSION.***

***# THE EAGLETON ROCK SYNDICATE HAS NO REGARD FOR THE PEOPLE WE EMPLOY AND MOST IMPORTANTLY THE CARERS AND CLIENTS TO WHOM WE PROVIDE A SERVICE.***

My wife and I have lived here since 1989, we have devoted half our lives to this property and 17 years to Eagleton Ridge Respite Centre. This property is our biggest asset and E.R.R.C. Is our legacy for the future, as we have no children the hope is to incorporate the business so that it will be ongoing in the future when we can no longer run it. I do not know what criteria planning officers will apply to this DA, however I hope they will take into account what we have achieved here and its special significance for the carers and the disabled people they and we look after.

I would appreciate a response to this submission from the Planning Dept., thank you for any time taken in considering my submission.

Vince Furlonger  
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